

Message Text

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ORIGIN ARA-06

INFO OCT-01 ISO-00 L-01 H-03 SS-07 NSC-06 SSO-00 NSCE-00

/024 R

DRAFTED BY ARA/PAN:JPBECKER/RWYROUGH

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ARA/PAN:ENADEAU

ARA:HARYAN

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O 080017Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY PANAMA IMMEDIATE

INFO AMEMBASSY BRASILIA IMMEDIATE

C O N F I D E N T I A L STATE 004164

E.O. 11652:GDS

TAGS: OREP (JAVITS, JACOB K.), PA

SUBJECT: CODEL JAVITS

1. FOLLOWING ARE TALKING POINTS FOR EMBASSY'S USE IN
BRIEFING SENATOR JAVITS PRIOR TO HIS MEETING WITH GENERAL
TORRIJOS:

-- DURING DISCUSSIONS IN OTHER LATIN AMERICAN COUNTRIES I
AM NOTING, AS THE OCCASION ARISES, MY PERSONAL SUPPORT
FOR A NEW TREATY BASED UPON THE CONCEPT OF CONSTRUCTIVE
PARTNERSHIP. SUCH AN APPROACH PROVIDES A PRACTICAL MEANS
OF RECONCILING PANAMANIAN AND U.S. NATIONAL PURPOSES AND
SHOULD ASSURE THAT THE CANAL REMAINS SAFE, OPEN, EFFICIENT
AND NEUTRAL.

-- WHILE THERE IS STILL WELL ORGANIZED AND VOCAL OPPOSITION
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IN THE CONGRESS AND AMONG THE AMERICAN PUBLIC TOWARD THE

NEGOTIATIONS, I HAVE DETECTED RECENTLY AN INCREASED UNDERSTANDING OF THE NEED FOR A NEW TREATY. THIS IS A DEVELOPMENT WHICH IS ENCOURAGING BUT VERY FRAGILE. IT IS ONE WHICH WE SHOULD NURTURE CAREFULLY.

-- I UNDERSTAND THAT THE NEGOTIATIONS ARE PROGRESSING AND THAT AGREEMENT ON A DRAFT TREATY SHOULD BE ATTAINABLE THIS YEAR. I WELCOME THIS NEWS AND TRUST THAT IT WILL BE POSSIBLE -- WITH PATIENCE, PERSEVERANCE AND A CONCILIATORY SPIRIT -- TO OBTAIN RATIFICATION OF A TREATY THAT WILL SERVE BOTH PANAMANIAN AND U.S. INTERESTS.

--I UNDERSTAND THAT YOU WILL BE TRAVELING TO CUBA TOMORROW.

- I FOUND MY TRIP THERE TO BE REVEALING AND WOULD WELCOME THE CHANCE TO SHARE SOME OF MY EXPERIENCES WITH YOU.

- AT THE SAME TIME, I THINK IT IMPORTANT TO BEAR IN MIND THAT SOME ELEMENTS IN THE UNITED STATES WILL TRY TO EXPLOIT YOUR VISIT IN WAYS CONTRARY TO OUR COMMON PURPOSES. THE U.S. PRESS AND PUBLIC IN GENERAL WILL BE PARTICULARLY ALERT TO YOUR PUBLIC STATEMENTS. TREATY OPPONENTS WILL SEEK TO INFLUENCE THE UNCOMMITTED AGAINST THE NEGOTIATIONS AND POISON THE ATMOSPHERE IN WHICH OUR NEGOTIATIONS ARE CONDUCTED.

- ANY AGREEMENTS OR JOINT COMMUNIQUE WHICH YOU MAY SIGN WITH CUBA WOULD BE SUBJECT TO VERY CLOSE SCRUTINY BY TREATY OPPONENTS.

- SOME TYPES OF AGREEMENTS MIGHT BE IN CONFLICT WITH PROVISIONS OF U.S. LAWS OR WITH OUR PROPOSED PARTNERSHIP RELATIONSHIP UNDER A NEW TREATY.

- THE FOREIGN ASSISTANCE ACT SPECIFICALLY PROHIBITS FURNISHING ASSISTANCE TO COUNTRIES WHICH FURNISH ASSISTANCE TO CUBA. WHILE IT IS POSSIBLE TO OBTAIN A WAIVER BASED ON THE U.S. NATIONAL INTEREST AND SO INFORM THE CONGRESS, THE PROCESS COULD INVOLVE POLITICAL COSTS.
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- GIVEN THE DELICACY OF THE NEGOTIATIONS AND THE SUBSEQUENT TREATY RATIFICATION PROCESS, AND -- AS A FRIEND OF PANAMA -- I CERTAINLY URGE CAUTION AND PRUDENCE DURING YOUR VISIT. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 08 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: buchant0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE004164
Document Source: CORE
Document Unique ID: 00
Drafter: JPBECKER/RWYOUGH
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760005-1066
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760175/aaaacoru.tel
Line Count: 112
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: buchant0
Review Comment: n/a
Review Content Flags:
Review Date: 09 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 JUL 2004 by SmithRJ>; APPROVED <26 OCT 2004 by buchant0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CODEL JAVITS
TAGS: OREP, PA, (JAVITS, JACOB K)
To: PANAMA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006